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DATE: AUGUST 14, 2006

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THIS FAX TRANSMITTAL SHEET): 19

LVM REFERENCE: 216180

FROM: MELISSA E. KOLOM

DIRECT LINE: (312) 616-5600

REGISTRATION NO. 51,860

TO: MAIL STOP AMENDMENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

FAX NUMBER: (571) 273-8300

IN RE APPLN. OF: GRABOWSKI ET AL.  
APPLICATION NO. 10/088,966  
FILED: MARCH 22, 2002  
FOR: NUCLEIC ACID MOLECULES FOR DETECTING BACTERIA AND  
PHYLOGENETIC UNITS OF BACTERIA  
EXAMINER: HEATHER CALAMITA  
ATTORNEY DOCKET: 216180

**ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:**

1. REPLY TO OFFICE ACTION TRANSMITTAL (1 PG. W/ DUPLICATE COPY)
2. REPLY TO OFFICE ACTION (11 PGS.)
3. CHRISTOPHERSON ET AL., *NUCLEIC ACIDS RESEARCH*, 25(3): 654-658 (1997) (5 PGS.)

A confirmation copy of the transmitted document will:

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FORM PTO-1083

PATENT

Attorney Docket No. 216180

Client Reference No. PA30882USFZ015pau

Date: August 14, 2006

In re Application of: Grabowski et al.

Application No. 10/088,966

Filed: March 22, 2002

For: NUCLEIC ACID MOLECULES FOR THE DETECTION OF BACTERIA AND PHYLOGENETIC UNITS OF BACTERIA

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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Sir:

Transmitted herewith is a reply to office action in the subject application.

☐ Small entity status is claimed for this application under 37 CFR 1.27.☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.☒ Other: Christopherson et al., *Nucleic Acids Research*, 25(3): 654-658 (1997).☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			Two-month		\$ 0.00		\$450.00	
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	10	MINUS	21	= 0	x 25 =	\$	x 50 =	\$0.00
INDEPENDENT	4	MINUS	4	= 0	x 100 =	\$	x 200 =	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$450.00

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

By Melissa E. Kolom  
 Melissa E. Kolom, Reg. No. 51,860

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08/15/2006 MBINAS 08080036 121216 10088966

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/088,966

Applicant: Grabowski et al.

Filed: March 22, 2002

TC/AU: 1637

Examiner: Heather Calamita

Docket No.: 216180 (Client Reference No. PA30882USFZ015pau)

Customer No.: 23460

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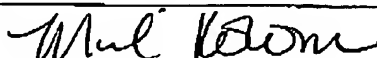
## REPLY TO OFFICE ACTION

Sir:

In reply to the Office Action dated April 6, 2006, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Melissa E. Kolom		
Signature		Date	August 14, 2006